

STATE OF RHODE ISLAND AND
PROVIDENCE PLANTATIONS,
DEPARTMENT OF HEALTH,
BOARD OF MEDICAL LICENSURE
AND DISCIPLINE

In the matter of:
Lewis Mann, D.O.

Summary Suspension

This matter came to the attention of the Board of Medical Licensure and Discipline by way of an Order of Emergency Suspension of License from the State of Florida Agency for Health Care Administration. The Emergency Suspension of Dr. Mann's license was supported by the State of Florida by the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. The Agency for Health Care Administration (hereinafter "the Agency") is the state agency charged with regulating the practice of osteopathic medicine pursuant to Section 20.42, and Chapters 455 and 459, Florida Statutes.
2. Section 455.225(8), Florida Statutes, empowers the Director of the Agency to summarily suspend Dr. Mann's license to practice osteopathic medicine in the State of Florida, in accordance with Section 120.60(8), Florida Statutes.
3. Dr. Mann is and has been at all times pertinent to this Order a duly licensed osteopathic physician pursuant to Chapter 459, Florida Statutes.
4. On or about March 10, 1994, the Physician's Recovery Network (hereinafter "PRN" received information regarding Dr. Mann's strange behavior and problems with patients."

On or about March 15, 1994 PRN received a report from

be disoriented at the time.

6. Sometime after his arrest, Dr. Mann began living with his mother, who had suffered a fractured hip, in her hospital room at Good Samaritan Hospital in West Palm Beach. He became increasingly disheveled and began interfering in the medical care of his mother.

7. On or about March 25, 1994, PRN Staff Psychiatrist Raymond Pomm, M.D., along with Rick Seeley, M.D., a board certified psychiatrist and Agency Investigator Bonnie Phipps, were involved in an intervention on Dr. Mann.

8. Dr. Mann was found to be disheveled and malodorous. According to Dr. Pomm, it was impossible to break through Dr. Mann's Obsessive ruminations," and in compliance with Chapter 394, Florida Statutes (commonly referred to as "The Baker Act"), he was involuntarily admitted to St. Mary's Hospital for examination and treatment.

9. On or about April 16, 1994, Dr. Mann was discharged from St. Mary's Hospital under the care of Dr. Sheldon E. Kalmutz, a psychiatrist in West Palm Beach.

10. On or about April 21, 1994, PRN advised Dr. Mann that he should not practice medicine and that he must be evaluated.

11. On or about May 12, 1994, Dr. Kalmutz advised the PRN of Dr. Mann's progress. He advised that Dr. Mann had not been compliant regarding his prescribed medication (Haldol), and that a blood test on May 4, 1994, had failed to detect the presence of the Haldol in Dr. Mann.

12. Dr. Kalmutz advised the PRN that his diagnoses regarding Dr. Mann were: (1) Transient Acute Psychosis, (2) Character Disorder, with Obsessive-Compulsive, Schizoid, and Paranoid features, and (3) possibly an underlying Schizophrenic Disorder.

cognitive and general psychological functioning to preclude him from interacting with patients in a competent professional manner." Dr. Herkov recommended that Dr. Mann undergo a full neuropsychological evaluation to specifically determine the range and nature of his cognitive deficits.

14. On or about June 7, 1994, Dr. Mann was again evaluated by Dr. Herkov, the results of which were also reviewed by Dr. Ross A. McElroy, M.D., a board certified psychiatrist at the University of Florida.

15. In a letter to PRN dated July 1, 1994, Dr. McElroy advised that he concurred with Dr. Herkov's opinion that Dr. Mann is sufficiently impaired so as to be unable to safely practice medicine.

16. On or about July 25, 1994, Roger Goetz, M.D., Director of PRN, advised the Agency that, "Dr. Mann's psychiatric condition is of such a serious and severely chronic nature that he is unable to practice medicine with the reasonable skill and safety necessary to protect the public health and welfare."

CONCLUSIONS OF LAW

1. The Director of the Agency for Health Care Administration has jurisdiction over this matter pursuant to Section 455.225(8), Florida Statutes.
2. Based on the foregoing Findings of Fact, the Director finds that Dr. Mann has violated Section 459.015(1)(w), Florida Statutes, in that Dr. Mann is unable to practice osteopathic medicine with reasonable skill and safety to patients by reason of illness or use of alcohol, drugs, narcotics, chemicals, or any type of material or as a result

3. The Director finds that Dr. Mann's continued ability to practice osteopathic medicine constitutes an immediate and serious danger to the health, safety and welfare of the public, and that this summary suspension procedure is fair under the circumstances to adequately protect the public.

In view of the stated facts and conclusions of the State of Florida Agency for Health Care Administration and in accordance with Rhode Island General Laws 5-37-8, the Director of the Rhode Island Department of Health makes the following finding and Order:

ORDER

1. Information in the possession of the Board of Medical Licensure and Discipline indicates that the continuation in practice of Lewis Mann, D.O. would constitute an immediate danger to the public.
2. The license to practice medicine in the state of Rhode Island, number 251, issued to Lewis Mann, D.O., is hereby suspended effective September 30, 1994 until further order of the Board of Medical Licensure and Discipline. The Respondent has a right to a hearing pursuant to R.I.G.L. 5-37-8.



Barbara A. DeBuono, M.D., M.P.H.
Director of Health

CERTIFICATION

I hereby certify that a copy of the within ORDER was sent to Michael J. Marchi, Esq., 510 Essex Street, Lawrence, Massachusetts.